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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/662,920 | 09/15/2003 | Ryan N. Long | RYAN LONG-001 | 2726 |
| 21897 | 7590 | 12/15/2005 | EXAMINER | |
| THE MATTHEWS FIRM 2000 BERING DRIVE SUITE 700 HOUSTON, TX 77057 | | | GREENHUT, CHARLES N | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 3652 | |

DATE MAILED: 12/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/662,920

Applicant(s)

LONG, RYAN N.

Examiner

Charles N. Greenhut

Art Unit

3652

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11/18/05.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

I. Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claim(s) 1-4 is/are rejected under 35 U.S.C. 102(b) as being anticipated by COMARDO (US 4,995,129).

1.1. With respect to claim 1, COMARDO discloses transporting an all-terrain vehicle in the bed of a pickup truck (Col. 1 Li. 39-40), off loading the all-terrain vehicle down a bi-fold ramp (Fig. 2 & 3), connecting first and second wheels to the loading ramp on opposite sides of the longitudinal axis (104)/(106), connecting a first end of a tow-bar on or near an end of the ramp (80), connecting a second end of the tow-bar to the all terrain vehicle, placing a load on top of the ramp, and pulling the loaded ramp with the all terrain vehicle (Col. 1 Li. 33-35).

1.2. With respect to claim 2, COMARDO discloses all elements of claim 1 and additionally discloses locking the bi-fold ramp against folding prior to placing a load on top of the ramp (66).

1.3. With respect to claim 3, COMARDO discloses all elements of claim 2 and additionally discloses removing the load from the ramp (Fig. 1), disconnecting the tow-bar from the ramp and the all terrain vehicle (Fig. 9), loading the all terrain vehicle into the pickup by moving the all terrain vehicle up the ramp (Col. 2 Li. 23-25), folding the ramp (Fig. 2), and stowing the ramp in the truck (Col. 1 Li. 45-46)

- 1.4. With respect to claim 4, COMARDO discloses a bi-fold ramp having first and second ramps in juxtaposition with each other and having a longitudinal axis and a first end through which the longitudinal axis passes, first and second wheels connectable to the ramp on opposite sides of the longitudinal axis, a tow bar and a support bar.

II. Response to Applicants Arguments


Applicants arguments entered 11/18/05 with respect to the rejection of claim 3 under 35 USC § 112 has been fully considered and is persuasive.


1. Applicant argues, with respect to claim 3, that a claim directed to a method of transporting a load (*Examiner assumes transmitting in applicants arguments should read transporting in order to be consistent with the claim language*) can include steps of unloading the cargo and storing the load transporting means. Applicant's argument is persuasive and the rejection of claim 3 under 35 USC § 112 has therefore been withdrawn.

Applicants remaining arguments entered 11/18/05 have been fully considered but are not persuasive.

2. Applicant argues that there is absolutely no disclosure, teaching or even a suggestion of towing the trailer in COMARDO behind an all-terrain vehicle. This assertion is clearly not true. The first sentence describing the invention of COMARDO reads, "This invention relates generally to trailers such as are towed behind various types of vehicles, including garden tractors, all terrain vehicles (ATV), etc." Towing behind an all-terrain vehicle is one of the specific functions that the trailer of CAMARDO is designed for. This is discussed further throughout the reference. The rejection of claims 1-4 under 35 U.S.C. 102(b) as being anticipated by COMARDO therefore remains in effect.

III. Conclusion

1. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.
2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles N. Greenhut whose telephone number is (571) 272-1517. The examiner can normally be reached on 7:30am - 4:00pm EST.
3. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eileen D. Lillis can be reached on (571) 272-6928. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.
4. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). 


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